

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ezri PELEG et al.

Confirmation No.: 6930

Application No: 10/587,789

Group Art Unit: 1638

Filing Date: July 28, 2006

Examiner: Phuong T. Bui

Title: **HIGH LYCOPENE TOMATO VARIETIES
AND USE THEREOF**

Attorney Docket No.: 27275.005

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that Ilan Levin be added as an inventor in connection with the above-identified patent application. Attached herewith is the Statement of Ilan Levin, a Supplemental Declaration signed by Ilan Levin, and a Statement Under 37 CFR 3.73(b). The Commissioner is hereby authorized to charge the requisite fee of \$130 as set forth in 37 C.F.R. § 1.17(i) to Deposit Account No. 060590.

In view of the foregoing, Applicant respectfully requests that prosecution of this application proceed.

Respectfully submitted,

September 30, 2009
Date

/Rodney J. Fuller/
Rodney J. Fuller (Reg. No. 46,714)

FENNEMORE CRAIG
Customer No. 27,887

602-916-5404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ezri PELEG et al.

Confirmation No.: 6930

Application No: 10/587,789

Group Art Unit: 1638

Filing Date: July 28, 2006

Examiner: Phuong T. Bui

Title: **HIGH LYCOPENE TOMATO VARIETIES
AND USE THEREOF**

Attorney Docket No.: 15872.015

STATEMENT OF ILAN LEVIN

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Ilan Levin, do declare as follows:

1. I am a named inventor of the invention disclosed and claimed in the above-identified U.S. patent application (hereinafter "the '789 application"). The '789 application was filed on July 28, 2006.

2. The error in inventorship occurred without any deceptive intention on my part.

3. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the validity of the application or patent issued thereon.

Dated: August 16, 2009


Ilan Levin

DECLARATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor if only one name is listed below, or an original, first and joint inventor if plural names are listed below, of the subject matter that is claimed and for which a patent is sought on the invention entitled:

"HIGH LYCOPENE TOMATO VARIETIES AND USE THEREOF"

the specification of which was filed on July 28, 2006 as U.S. Serial No. 10/587,789.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Claimed (Yes/No)	Certified Copy Attached? (Yes/No)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose

DECLARATION

Docket No. 27275.005

Title: "High Lycopene Tomat Varieties and Use Thereof"
U.S. Serial No. 10/587,789

information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Application Number	PCT Number	Filing Date	Status
	PCT/IL2004/000087	January 29, 2004	Expired

I request that all correspondence be directed to:

Rodney J. Fuller
Registration No. 46,714
FENNEMORE CRAIG
Customer No. 27887
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012
Telephone (602) 916-5404
Facsimile (602) 916-5604

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor:

Ezri PELEG

Date _____

Citizenship: Israel

Residence: Kibbutz Bait Kama
85325 M.P. Negev
Israel

DECLARATION

Title: "High Lycopene Tomat Varieties and Use Thereof"
U.S. Serial No. 10/587,789

Docket No. 27275.005

Inventor:

Eyal VARDI

Date _____

Citizenship: Israel

Residence: 4 Hagali Street
76601 Rehovot
Israel

Inventor:

Ilan LEVIN

Date August 16, 2009

Citizenship: Israel

Residence: 8 Eshel Street
Mazkeret Batia 76804
Israel

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Peleg et al.

Application No./Patent No.: 10/587,789

Filed/Issue Date: July 28, 2006

Titled: HIGH LYCOPENE TOMATO VARIETIES AND USE THEREOF

Hazera Genetics Ltd., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 018722, Frame 0225, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Date

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.